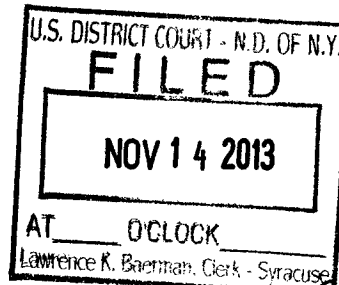


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK



Willie Amos)
Plaintiff(s))
)
vs.)
State of New York)
Jon Doe, 1)
Jon Doe, 2)
Sgt Cuda)
Defendant(s)

Civil Case No.: 9:13-cv-418

CIVIL
RIGHTS
COMPLAINT
PURSUANT TO
42 U.S.C. § 1983

Plaintiff(s) demand(s) a trial by: ☒ JURY ☐ COURT (Select only one).

Plaintiff(s) in the above-captioned action, allege(s) as follows:

I was ruffed up so bad my should left has to have major
surgery ~~because of the injuries I received~~
Threats denied due process JURISDICTION

1. This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution of the United States. This action is brought pursuant to 42 U.S.C. § 1983. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1343(3) and (4) and 2201.

PARTIES

2. Plaintiff: Willie Amos
Address: Bare Hill Correctional Facility
Celler Box 20 181 Brand Road Malone New York
12953

Additional Plaintiffs may be added on a separate sheet of paper.

3. a. Defendant: Sgt Cuda
Official Position: Sgt
Address: Mid State Correctional Facility
P.O. Box 2500 Marcy NY 13403

b. Defendant:

Jon Doe 1

Official Position:

Correctional Officer

Address:

Mid State Correctional
P.O. Box 2500 Marcy NY, 13403

c. Defendant:

Jon Doe

Official Position:

Correctional Officer

Address:

Mid State Correctional
P.O. Box 2500 Marcy NY 13403

Additional Defendants may be added on a separate sheet of paper.

4.

FACTS

Set forth the facts of your case which substantiate your claim of violation of your civil and/or Constitutional rights. List the events in the order they happened, naming defendants involved, dates and places.

Note: You must include allegations of wrongful conduct as to EACH and EVERY defendant in your complaint. (You may use additional sheets as necessary).

On May 30/2013 I was walking toward the yard gate when I was asked a question by Sgt Cuda. I asked what did he say Sir, one of the C.O. what are you fucking deaf at the time I had a mouth full of chewing tobacco so I spit out so I could talk to the Sgt and answer his question properly when I did several C.O. tackled me and started choking me one of them started dragging me into the bath where the metal detector was they continued to choke me and twist my left arm I was hit on my head back left shoulder repeatedly while I was being assaulted I tried to protect

② my head with my body by leaning to my right when I moved the officers got rigger I told them I'm not fighting back. "you got it" I said. they replied at that time you fucking right Rigger we got it but they kept hitting me in my claurcal area on my left side I yeld out yall see this trying to get the attention of anyone to help but none came I told them your hurting me please Stop my Shoulder my Shoulder I yelled and that time Someone get him in the van. once they got me behind the booth detector they twisted my arm even more through me to the ground put there knee on my neck back and preked me up by my cuff I felt my Shoulder Snapp I yelled with seemed to make them angrier once they got me in the van they called me a piece of shit, hommie, nigger lazy muthafucker who loves of welfare, and tax paye money, Said I was a rat threatened to make something happen they could make it look like an accident in there there god I was scared for my life I pused my self once I got to 10 building they the C.O's involved put me in a black cage in a back room and locked the cage

② where Sgt Cuda came in with a stick hitting the cage telling me I made him look stupid in front of his friends & coworkers he called me stupid black nigger. he then ask me if I was black I replied no he then said well your going to be I going to have you stabbed you piece of shit "fucker's niggers" I asked what did I do I repeatedly apologized the Sgt told me to "fuck my apologies you know what we do to blacks" I replied I'm not a black I'm from Winthrop MA I don't know anything about a black he told me to shut up nigger I'll fix you fucking embarrass me then a co came and got me brought me to another room where I was patted down for like the third time made to strip of my clothes then the co put hand cuffs on me while I was naked I wasn't sure that was procedure or not then he asked me to bend over and lift my feet then to spread my ass cheeks I refused saying it impossible I have cuffs on he replied what are you stupid like your hands what your hiding something in there you got drugs in your ass I replied no he said

④ then spread your ass & I can't
& said then he shoved his stick
between my cheeks poking at my
rectum once or twice going so far
and I felt a sharp pain & I was
trying to move but I had limited
motion and was scared to death
my ass was hurting & I explained
I had nothing in there & I begged
him to calm down I'm not a threat
to him then I was escorted to my
cell with just my pants on & my
shoulder was killing me my rectum
hurt & I was then locked in cell 16 I believe
with a toilet that didn't flush & I checked
my rectum and it was bleeding & I was
terrified and confused & I sat there until
the nurse came to see me she asked
if I had anything wrong with me and
would I be alright & I told her my
shoulder hurt and that I would like
to talk to her privately she said
you can talk in front of the officer
and to put in a sick call. no medical
treatment was given to me for the
next two months or so & I tried to
mail out letters to Lt's and Super
intendent but the Co.'s would rip them
up in front of my cell and ask me
who was this supposed to go to when
the Lt's walk by my cell they would not stop.

There was legal work I was not allowed to have because I was in the box I tried to learn my rights to get help I was denied grievance form constantly called spitch, piece of shit, rat fuck by C.O's and inmates because of the C.O's let them they threatened my life if I went to the Lt or Superintendent I was transferred to ~~to Bar~~ Shu 200 and met with the Lt who would not give me P.C. protective custody unless I said it was because of the bloods.

{ I ask Sgt Cuda on ~~the~~ May 30 2013 for protective custody and was denied at 11:36 pm and again by Lt. }

I was again transferred to 10 buildings were on aug 1 I was transferred to Bar hill where I sought immediate medical treatment.

At mid State Correctional the nurse was negligent in my treatment the Sgt & C.O's assaulted me and violated my civil rights slandered my name in the Penal System of corrections putting my life in danger with inmates, sexual assaulted me threatened my life I was also denied due process (no grievance) process

5.

CAUSES OF ACTION

Note: You must clearly state each cause of action you assert in this lawsuit.

FIRST CAUSE OF ACTION

Assault personal Injury

SECOND CAUSE OF ACTION

Civil Rights Violation
~~Violation of Civil Rights~~

THIRD CAUSE OF ACTION

*Violation of due process
Denied grievance process
and certain legal work*

6. **PRAYER FOR RELIEF**

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:

Compensatory & Punitive Damages in the amount of \$1,000,000
fire all parties of Employment
and I would like an apology.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 11/5/13

Willie A. Moses
Willie A. Moses
Signature of Plaintiff(s)
(all Plaintiffs must sign)

02/2010

State of New York Court of Claims

Willie Mike Moses

-against-

Notice of Intention
to File Claim

The State of New York

Sgt Cada
Jon dot 1
Jon dot 2

~~State of New York~~

TO THE ATTORNEY GENERAL OF THE STATE OF NEW YORK:

PLEASE TAKE NOTICE, that the undersigned Willie N Moses, intends to file a claim against the State of New York, pursuant to Sections 10 and 11 of the Court of Claims Act.

The post office address of the claimant herein is: Bart Hill Corrections I Facility Celler Box 20, 181 Brand Road Malone, New York 12953

For the time being I am representing myself.

The time and place where such claim arose and the nature of my claim is as follows:
May 30th 2013 Mid State Correctional Facility, Yard Gate it was
assaulted by several officers & one Sgt. my claim is for physical damage
to my shoulder left side Emotional damage from being probed during a
body check with the officers ~~and officers~~, civil rights violations
defamation of character, threats, deprived of due process "Gruenewald" and medical
treatment

Dated: _____, 20____
_____. New York

Willie Moses
Claimant

VERIFICATION

State of New York)

)ss.:

I, Willen Moses, being duly sworn, deposes and says:

I am over the age of 18 and reside at

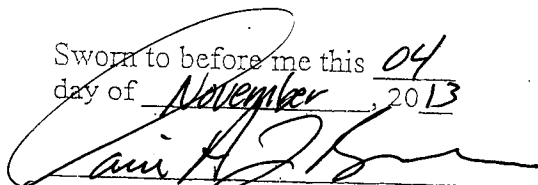
Bare Hill Correctional Facility
Celler Box 20, 181 Brand Road
Malone New York 12953

I am the above named claimant, and I have read the foregoing claim against the State of New York and know its contents; the same is true to my knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters, I believe them to be true.

Very truly yours,

Willen Moses
Claimant

Sworn to before me this 04
day of November, 2013


NOTARY PUBLIC

LAURIE ANN FOBARE
Notary Public, State of New York
No. 01FO6175693
Qualified in St. Lawrence County
Commission Expires 10-15-15

State of New York Court of claims

Willie A Moses

- against -

The state of New York

Notice of Intention
to file claim

To The Attorney General of The State of New York

Please Take Notice, That the undersigned Willie A Moses,
Intends to file a claim against the State of New York,
Pursuant to Section 10 and 11 of the Court of Claims Act

The post office address I can be reach is Barre Hill
Correctional Facility Caller Box 20,181 Brand Road Malone
New York 12953

For The time Being I am Representing my Self

During the months of Aug through Sept, I complained about
severe pain in my shoulder I was sent to see the ^{Cosimo Ferrari}
primary care doctor at Barre Hill Facility the doctor ordered
X Ray and MRI shortly after I went for X Rays the
X Rays came back positive for dislocation the doctor then Seculated
me for an MRI inbetween that time I then Received a letter
from the clinic at Barre Hill that no further treatment was
needed on my shoulder at that point I went back to the nurse
at the clinic and the doctor told me I was healing and a little
exercise would help but he gave me no instruction as how to do it
or be safe so I took the doctors advice went to the gym while
doing my first rep of dumbbell bench press my shoulder gave out
and my arm went numb my hand fell on the clamp and the sixty
pound fall cutting off my left middle finger I had to have it suan back
on but now I have limited movement and no feeling in the tip of believe
the doctor was negligent in my treatment and information

Date 11/4/, 2013
Malone, New York

Willie Moses
Claimant

Verification

State of New York)

1951

I William W Moses, being duly sworn, deposes and says:

I am over the age of 18 and Reside at
Barre Hill Correctional Facility
Cellar Box 20, 181 Brand Road
Malone, New York 12953

I am the abovesaid named claimant, and I have read the foregoing claim against the State of New York and know its contents; the same is true to my knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters, I believe them to be true

Very truly yours,

William W Moses

Sworn to before me this
day of 24th, 2013


Notary Public

LAURIE ANN FOBARE
Notary Public, State of New York
No. 01FO6175693
Qualified in St. Lawrence County
Commission Expires 10-15-15